

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

ALTERRA AMERICA INSURANCE CO.,

Plaintiff,

v.

NATIONAL FOOTBALL LEAGUE, et al.,

Defendants.

Index No. 652813/2012 **E**

Hon. Andrea Masley

DISCOVER PROPERTY & CASUALTY
COMPANY, et al.,

Plaintiffs,

v.

NATIONAL FOOTBALL LEAGUE, et al.,

Defendants.

NOTICE OF MOTION PURSUANT TO CPLR § 3104(d)

PLEASE TAKE NOTICE, that upon the annexed Affirmation of Kevin J. O'Connor, Esq. dated March 14, 2019 and the exhibits annexed thereto, the accompanying Memorandum of Law and all the pleadings and proceedings heretofore had herein, the Insurers party to the above action ("Insurers"¹) will move this Court, at the Motion Submission Part thereof (Room 130),

¹ TIG Insurance Company, The North River Insurance Company, United States Fire Insurance Company, Discover Property & Casualty Insurance Company, St. Paul Protective Insurance Company, Travelers Casualty & Surety Company, Travelers Indemnity Company, Travelers Property Casualty Company of America, Continental Insurance Company, Continental Casualty Company, Allstate Insurance Company, solely as successor in interest to Northbrook Excess and Surplus Insurance Company, formerly Northbrook Insurance Company, Bedivere Insurance Company, ACE American Insurance Company, Century Indemnity Company, Indemnity

located at 60 Centre Street, New York, New York, on the 5th day of April, 2019 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an Order pursuant to CPLR § 3104(d) seeking to review and modify certain portions of the Special Referee's Memorandum and Order dated February 26, 2019 and issued on February 28, 2019 ("Memorandum & Order"), specifically those portions which improperly ordered the Insurers to produce information relating to reinsurance contracts, communications with reinsurers and reserves. The Memorandum & Order has been or will be filed with the Court.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR § 2214(b), answering papers, if any, must be served at least seven days prior to the return date.

Dated: New York, New York
March 14, 2019

Respectfully submitted,

By: /S/ Kevin J. O'Connor
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Company, Travelers Casualty & Surety Company,
Travelers Indemnity Company, and Travelers
Property Casualty Company of America*

Insurance Company of North America, California Union Insurance Company, Illinois Union Insurance Company, Westchester Fire Insurance Company, Federal Insurance Company, Great Northern Insurance Company, Vigilant Insurance Company, Munich Reinsurance America, Inc., XL Insurance America Inc., XL Select Insurance Company, American Guarantee and Liability Insurance Company, Arrowood Indemnity Company, and Westport Insurance Corporation.